

Monroe County District Attorney Sandra Doorley

January 5, 2024



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Attorney's Office

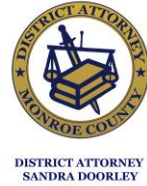
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Monroe County District Attorney's Office

Weekly Newsletter



Welcome to the weekly newsletter from Monroe County District Attorney Sandra Doorley.

Deadly Driving Bill S.3135/A.174

On Tuesday, January 9, 2024, supporters of the Deadly Driving Bill and families from around New York State will wear red at the Capitol in Albany. Members of my Vehicular Crimes Bureau will be in attendance in addition to individuals who have directly been impacted by drivers under the influence of drugs.

In 2023, the Monroe County District Attorney's Office Vehicular Crimes Bureau took in 302 felony cases and the Local Courts Bureau took in 938 misdemeanor Driving While Intoxicated cases. These numbers would increase with the passage of the Deadly Driving Bill.

The Deadly Driving Bill accomplishes many oversights that currently exist in the Vehicle and Traffic Law, especially regarding language and definitions. This legislation retitles drugged driving to apply to all impairing substances, not just those listed on the New York Public Health Law 3306 list. New York is one of five states in the country using a list that does not mirror new and emerging impairing substances and synthetic drugs. This proposed legislation also clarifies the often confusing definitions between "impaired" and "intoxicated" when labeling dangerous drug impairment.

This bill also gives law enforcement and the court more tools to ensure drivers who are under the influence of all impaired substances can be held accountable. The proposed legislation includes Oral fluid field testing (OFFT) as a roadside screening tool to support probable cause, which in turn could also exonerate a driver. OFFT is authorized in 24 states and used internationally. This tool does not prove impairment or sobriety but offers real-time evidence of recent drug use as an investigatory tool. The legislation also equates Drug Recognition Evaluation (DRE) to breath or blood tests if the driver refuses. DRE is the best evidence of actual impairment and screens out exonerating medical conditions. As written, the bill applies the same license revocation for refusing a DRE exam.

This Deadly Driving Bill expands the court's ability to order evidential blood draws. Under the proposed law, in certain circumstances, the court may order evidential blood draws if supported by probable cause, if a person refuses the test in cases where a crash has occurred for drivers with prior impaired driving charges. Finally, the Deadly Driving Bill suspends a drugged driver's license pending prosecution, mirroring existing law that does this for driving under the influence of alcohol. While there are several changes in the Deadly Driving Bill, certain parts of the bill simply add the same regulations for driving under the influence of drugs(s) that exist for alcohol.

Homicide Update

To Date 2024:

City of Rochester Total: 2

Monroe County Total: 2

Total 2023:

City of Rochester Total: 58

Monroe County Total: 65

If you are interested in next week's rally, you can find more information at <https://deadlydrivingny.org/>. I also urge you to view the testimony of Henry Rivera, whose son was killed by a driver under the influence of both alcohol and drugs. Henry is an amazing advocate for driving.

The Deadly Driving Bill is common sense legislation and I am proud to support such a proposal that values public safety. Illegal

drugs and narcotics are always evolving and this legislation ensures that law enforcement and the courts can stay on top of all impairing substances without awaiting time-consuming updates to the New York Public Health Law. Those who drive impaired choose to consume mind-altering substances before driving their vehicle, putting countless lives at risk. We must be able to hold these deadly drivers accountable, and when appropriate, help connect them with services if they are struggling with substance abuse disorder of any kind.



Sandra

Highlights from the MCDA's Office

The jury trial of the People vs. **Lequan Hil** will continue into next week in front of New York State Supreme Court Justice Renzi. Lequan Hill is charged with Murder in the 2nd Degree in relation to the homicide of Antoine Parris. This case is being prosecuted by Assistant District Attorney Michael Harrigan, Chief of the Homicide Bureau, and Assistant District Attorney Adam VanHeyst, of the Special Investigations Bureau.

Michaela Carwile was sentenced by Monroe County Court Judge Vacca to 3-9 years in the New York State Department of Corrections for her role in the death of Jaunella Mincey on June 3, 2023. She previously pled guilty to Manslaughter in the 2nd Degree and Driving While Ability Impaired. This case was investigated by the Monroe County Sheriff's Office, and prosecuted by Assistant District Attorney Drew Kroft, of the Vehicular Crimes Bureau.

Steven Cheeks was sentenced by New York State Supreme Court Justice Argento to 4 years in the New York State Department of Corrections. He previously pled guilty to Operator Leave Scene of Incident Resulting in Death for driving and leaving the scene, after hitting a pedestrian, Yoeun Nhong with and causing her death. This case was investigated by the Rochester Police Department and prosecuted by Assistant District Attorney Tony DiPerna, of the Special Investigations Bureau.

An indictment was unsealed charging **Timothy Kuhn** with Murder in the 2nd Degree and Arson in the 1st Degree in relation to the 2004 death of 8-year-old Savannah Streber. This case is being prosecuted by Assistant District Attorney Sara Vanstrydonck, Chief of the Special Victims Unit, and Assistant District Attorney Patrick Gallagher, Chief of the Domestic Violence Bureau.



An indictment was unsealed charging **Ryan Laduca** with Operator Leave Scene of Incident Resulting in Death and Tampering with Physical Evidence in relation to a vehicular incident on August 22, 2023, that resulted in the death of Pamela Rubenstein. This case is being prosecuted by Assistant District Attorney Raymond Benitez, Chief of the Vehicular Crimes Bureau.

Washington Wulu was indicted on two counts of Aggravated Driving While Intoxicated With a Child Passenger and Driving While Ability Impaired by Drugs in relation to a vehicular incident on May 28, 2023. This case is being prosecuted by Assistant District Attorney Drew Kroft, of the Vehicular Crimes Bureau.

Ruben Rodriguez was indicted on Criminal Possession of Stolen Property in the 3rd Degree and Unauthorized Use of a Vehicle in the 3rd Degree in relation to the illegal possession of a motor vehicle on July 19, 2023. This case is being prosecuted by Assistant District Attorney Caroline Rodriguez, of the General Felony Bureau.

Kirsean Chatfield was indicted on Criminal Possession of a Weapon in the 3rd Degree and Criminal Possession of a Firearm in relation to the illegal possession of a firearm on June 25, 2023. This case is being prosecuted by Assistant District Attorney Michael Caranante, of the Special Investigations Bureau.

Malik Mccrea was indicted on Criminal Possession of a Weapon in the 2nd Degree in relation to a shooting on March 14, 2023. This case is being prosecuted by Assistant District Attorney Stephen Ryck, of the Special Investigations Bureau.

Carlos Lee was indicted on Criminal Possession of a Weapon in the 2nd Degree and Criminal Possession of a Controlled Substance in the 3rd Degree in relation to the possession of an illegal firearm and narcotics on December 14, 2023. This case is being prosecuted by Assistant District Attorney Timothy Boucher, of the Special Investigations Bureau.

Rodney Richards was indicted on Robbery in the 2nd Degree and Attempted Robbery in the 2nd Degree in relation to the theft of a motor vehicle on December 16, 2023. This case is being prosecuted by Assistant District Attorney Camille Ingino, of the Major Felony Bureau.

Jhichuan Love was indicted on two counts Strangulation in the 2nd Degree and Assault in the 3rd Degree in relation to a domestic assault on December 13, 2023. This case is being prosecuted by Assistant District Kaylee Rizzari, of the Domestic Violence Bureau.

Omar Boulama was indicted on two counts Robbery in the 2nd Degree and Assault in the 2nd Degree in relation to the robbery of an individual on December 18, 2023. This case is being prosecuted by Assistant District Attorney Aliyah Fowler, of the Major Felony Bureau.

Marquis Elliott was indicted on Criminal Possession of a Controlled Substance in the 3rd Degree in relation to the possession of illegal narcotics on August 22, 2023. This case is being prosecuted by Assistant District Attorney Timothy Boucher, of the Special Investigations Bureau.

James Ramos was indicted on Criminal Possession in the 2nd Degree in relation to the possession of an illegal firearm on July 14, 2023. This case is being prosecuted by Assistant District Attorney Rachel Clark, of the Special Investigations Bureau.

Keirah Brown was indicted on Grand Larceny in the 3rd Degree in relation to a theft on May 30, 2023. This case is being prosecuted by Assistant District Attorney Caroline Rodriguez, of the General Felony Bureau.

Samuel Siplin was indicted on Grand Larceny in the 4th Degree in relation to a theft on December 11, 2023. This case is being prosecuted by Assistant District Attorney Caroline Rodriguez, of the General Felony Bureau.

Stephanie Cartagena was indicted on Grand Larceny in the 4th Degree in relation to a theft on June 6 2023. This case is being prosecuted by Assistant District Attorney Mikael Pelkey, of the General Felony Bureau.

Xavier Pabon was indicted on two counts of Driving While Intoxicated and Aggravated Driving While Intoxicated in relation to a vehicular incident on May 21, 2023. This case is being prosecuted by Assistant District Attorney Janna Koch, of the Vehicular Crimes Bureau.

Eliezer Sipriano was indicted on Grand Larceny in the 4th Degree in relation to a theft on October 15, 2023. This case is being prosecuted by Assistant District Attorney Diane Orosz-Roy, of the General Felony Bureau.

Edith Hicks was indicted on Burglary in the 3rd Degree in relation to an illegal entry on September 2, 2023. This case is being prosecuted by Assistant District Attorney Diana Ferretti, of the General Felony Bureau.

Consortium for Safe Communities

The Consortium for Safe Communities attained 1,787 signatures on the letter to New York State leaders and legislators. The CSC created a website to keep the community informed at: www.ourconsortiumny.com.



As our group continues work on our mission, this website will serve as a vital informational tool. While the website is not yet fully built out, we wanted to share it with you in its infancy phase.

MCDA in the News

<https://www.rochesterfirst.com/crime/rpd-will-share-details-of-arrest-in-19-year-cold-case/>

<https://nydailyrecord.com/2024/01/05/arrest-made-in-fatal-2004-fire-in-rochester/>

<https://wham1180.iheart.com/content/2024-01-05-man-indicted-in-fatal-2004-rochester-fire/>

<https://www.wxnews.org/local-news/2024-01-05/after-nearly-two-decades-arrest-made-in-homicide-of-eight-year-old>

<https://13wham.com/news/local/nearly-20-years-later-man-charged-for-8-year-old-girls-death-in-rochester-fire-savannah-streber-yates-street-timothy-kuhn-florida>

<https://www.whec.com/top-news/arrest-made-in-rochester-fire-that-killed-8-year-old-in-2004/>

<https://www.democratandchronicle.com/story/news/2024/01/05/timothy-kuhn-charged-in-8-year-old-savannah-streber-death-in-rochester-ny/72119116007/>

<https://www.rochesterfirst.com/crime/woman-sentenced-to-prison-after-fatal-penfield-crash/>

<https://13wham.com/news/local/woman-sentenced-in-deadly-dwi-crash-on-empire-boulevard#>

<https://www.whec.com/top-news/woman-sentenced-to-prison-for-deadly-crash-last-june-in-penfield/>

<https://13wham.com/news/local/man-charged-in-deadly-hit-and-run-crash-involving-bi>

<https://13wham.com/news/local/parolee-arrested-for-murray-street-shooting-rochester#>

<https://www.rochesterfirst.com/news/10-arrested-in-multi-county-narcotics-investigation/>

<https://nypost.com/2023/11/20/metro/parents-of-dui-victims-ny-law-enforcement-push-for-new-law/>

<https://www.indiatoday.in/world/story/people-in-new-york-demand-new-law-for-crackdown-on-drunk-or-drugged-up-drivers-2465940-2023-11-22>

<https://www.cbsnews.com/newyork/news/parents-of-long-island-dwi-victims-say-loop-hole-in-state-law-prevents-arrests-of-some-drivers/>



We are hiring attorneys! If you are a recent law school graduate or an experienced attorney and are interested in a career in criminal law and public service, apply with us today! More information is available on monroecounty.gov/da.